

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Chris Rowen

Application No.: 10/072,988

Filed: February 12, 2002

For: SYSTEM AND METHOD OF INDEXING
UNIQUE ELECTRONIC MAIL MESSAGES
AND USES OF THE SAME

Group Art Unit: 2635

Examiner: Unknown

Attorney Docket No. LEGAP002

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APR 30 2003

Technology Center 2600

POWER OF ATTORNEY BY ASSIGNEE AND 37 CFR §3.73 STATEMENTAssistant Commissioner for Patents
Washington, D. C. 20231

Sir:

Legato Systems, Inc. is the assignee of the above-referenced patent application by virtue of an assignment document. The assignment document is/was recorded:

 at Reel ___, Frame(s) ____ on _____ submitted concurrently herewith

The assignee represents, pursuant to 37 C.F.R. §3.73(b), that the undersigned is a representative authorized and empowered to sign on behalf of the assignee.

Pursuant to 37 C.F.R. §§1.36 and 3.71, the assignee hereby revokes all powers of attorney previously given and appoints Lee Van Pelt, Reg. No. 38,352; Susan C. Yi, Reg. No. 39,883; William J. James Reg. No. 40661; all of the law firm of Van Pelt & Yi LLP with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith.

Please send all correspondence for this application as follows:

Attorney Docket No. LEGAP002

-1-

Customer No. 21912
VAN PELT & YI LLP
10050 N. Foothill Blvd.
Suite 200
Cupertino, CA 95014

Please direct any calls to the same at (408) 973-2585.

Assignee of Interest:

Legato Systems, Inc.
2350 West El Camino Real
Mountain View, CA 94040

Date April 14 2003



Name: Theodore A. Chen
Title: Director of Intellectual Property

INTELLECTUAL PROPERTY ASSIGNMENT

OTG SOFTWARE, INC., a DELAWARE corporation having a place of business at 2600 Tower Oaks Blvd., Rockville, Maryland, 20854, ("Seller") certifies that to the best of Seller's knowledge and belief it is the sole owner or assignee of the intellectual property as set out in Exhibit A hereto (the "Intellectual Property").

For good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, SELLER hereby:

- 1) Assigns and transfers to LEGATO SYSTEMS, INC., a DELAWARE corporation having a place of business at 2350 W. El Camino Real, Mountain View, CA 94040, ("Buyer") the entire right, title, and interest in the above-identified Intellectual Property, including any and all applications, continuations, goodwill, and registrations associated therewith.
- 2) Authorizes and requests the Commissioner of Patents, the Commissioner of Trademarks, the Commissioner of Copyrights, and any applicable government agency to issue any and all Patent Grants, Trademark Registrations, and Copyright Registrations resulting from the above-referenced applications to BUYER.
- 3) Assigns and transfers to BUYER the entire right, title, and interest in all intellectual property rights of any kind held by SELLER worldwide, including without limitation all patents, copyrights, trademarks, trade secrets, and know-how, and any applications (whether pending or otherwise), improvements, and inventions associated therewith.
- 4) Agrees that the terms, covenants and conditions of this Assignment shall inure to the benefit of BUYER, its successors, assigns, and other legal representatives, and shall be binding upon any inventor, as well as the inventor's heirs, legal representatives and assigns.

BUYER hereby grants to SELLER a non-exclusive, irrevocable, fully paid-up, worldwide right and license, including right of sublicense, to make, have made, use, sell, offer for sale, import, execute, reproduce, display, perform, distribute, and prepare derivative works of the Intellectual Property.

The undersigned, on the dates set forth below, acknowledge their assent to the terms and conditions set forth herein, and agree to the foregoing.

SELLER

By: Noah D. Mesel

Name: Noah D. Mesel

Title: Secretary

Date: September 16, 2002

BUYER

By: Andrew Brown

Name: Andrew Brown

Title: President

Date: September 16, 2002

EXHIBIT A

TRADEMARKS:

MARK	COUNTRY	FILING DATE	APPLICATION NUMBER	REGISTRATION DATE	REGISTRATION NUMBER

PATENTS:

TYPE OF FILING	DATE OF FILING	APPLICATION NUMBER	TITLE OF INVENTION
Utility Patent	February 12, 2002	Serial Number 10/072,988.	Method For Computing Unique Index Of Electronic Mail Message To Effect Duplication Of Storage



2635

PATENT

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) Attorney Docket No.: LEGAP002

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) Date: April 23, 2003

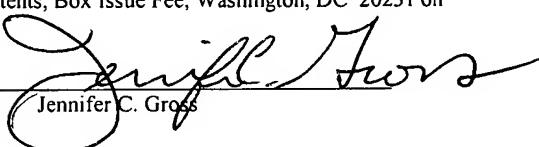
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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail to: Assistant Commissioner for Patents, Box Issue Fee, Washington, DC 20231 on April 23, 2003.

Signed: 

Jennifer C. Gross

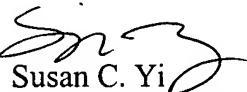
Assistant Commissioner for Patents
Washington, DC 20231

Sir:

Transmitted herewith is the Power of Attorney by Assignee for the above-entitled matter.



Applicant(s) believe that no fee is required; however, if it is determined that such fee is required, Applicant(s) hereby authorize the Commissioner to charge the required fees Deposit Account No. 50-0685 (LEGAP002).

Respectfully submitted,
VAN PELET & YI LLP
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